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PTO/SB/21 (01-03)
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/687,677
		Filing Date	10/17/2003
		First Named Inventor	GUY
		Art Unit	1642
		Examiner Name	
Total Number of Pages in This Submission	114	Attorney Docket Number	5853-324

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☑ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):

Remarks

No fees are believed necessary, but please charge any deficiencies to Deposit Account No. 50-0951.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	AKERMAN SENTERFITT Gregory A. Nelson, Registration No. 30,577
Signature	
Date	8-5-04

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____

Typed or printed	Gregory A. Nelson		
Signature		Date	8-5-04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of GUY

Application No. 10/687,677 Examiner:

Filed: October 17, 2003 Group Art Unit: 1642

For: REDUCING CELLULAR DYSFUNCTION CAUSED BY MITOCHONDRIAL GENE MUTATIONS

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)

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Reg. No. 30,577
Gregory A. Nelson

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. The references were cited in the specification of the present application.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicant respectfully requests that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed within three months of the filing of this application and/or prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR §1.97(b). In view of this certification, a fee is not required for consideration of these documents. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 8-5-04

Gregory A. Nelson, Reg. No. 30,577
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Telephone: (561) 653-5000

Docket No. 5853-324

PTO/SB/08B (02-03)
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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
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OTHER PRIOR ART–NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
		Larsson NG, Andersen O, Holme E et al. Leber's hereditary optic neuropathy and complex I deficiency in muscle. Ann Neurol. 1991; 30:701-708	
		Majander A, Huoponen K, Savontaus ML et al. Electron transfer properties of NADH:ubiquinone reductase in the ND1/3460 and the ND4/11778 mutations of the Leber hereditary optic neuroretinopathy (LHON). FEBS Lett. 1991; 292:289-292	
		Vergani L, Martinuzzi A, Carelli V et al. MtDNA mutations associated with Leber's hereditary optic neuropathy: studies on cytoplasmic hybrid (cybrid) cells. Biochem Biophys Res Commun. 1995; 210:880-888	
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		Guy J, Qi X, Hauswirth WW. Adeno-associated viral-mediated catalase expression suppresses optic neuritis in experimental allergic encephalomyelitis. Proc Natl Acad Sci U S A. 1998; 95:13847-13852	
		Wallace DC, Singh G, Lott MT et al. Mitochondrial DNA mutation associated with Leber's hereditary optic neuropathy. Science. 1988; 242:1427-1430	
		Hartl FU, Neupert W. Protein sorting to mitochondria: evolutionary conservations of folding and assembly. Science. 1990; 247:930-938	
		Schon EA. Mitochondrial genetics and disease. Trends Biochem Sci. 2000; 25:555-560	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Sheet 2 of 2

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		Guy J, Qi X, Muzyczka N et al. Reporter expression persists 1 year after adeno-associated virus- mediated gene transfer to the optic nerve. Arch Ophthalmol. 1999; 117:929-937	
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		Sazanov, L. Resolution of the Membrane Domain of Bovine Complex I into Subcomplexes: Implications for the Structural Organization of the Enzyme. Biochemistry 2000, 39: 7229-7235	

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